

The Chair, Jack Steiner at 7:00pm called the regularly scheduled Selectmen's meeting to order. Those present included Lloyd Sullivan (Selectman), and Russell McAllister (Town Administrator). George Lagassa was absent.

Questions & Comments

The Chair opened the meeting with an invitation for public questions and comment. Mr. Bob Landman noted that correspondence from the Rockingham Planning Commission soliciting participation and financial support for the Route 1 Corridor Study was sent a short time ago. The TA noted that he was in receipt of the RPC request and that it was scheduled for discussion during the business portion of the meeting.

Selectmen Issues

Mr. Sullivan began by reading a prepared statement (email) from fellow Board member George Lagassa who was unable to attend the meeting.¹ The email from Mr. Lagassa called upon Mr. Landman to resign his position as Commissioner on the Rockingham Planning Commission (RPC). Mr. Sullivan next read a prepared statement of his own followed by a motion to revoke Mr. Landman's appointment as Commissioner on the Rockingham Planning Commission.² Mr. Steiner seconded the motion. Mr. Landman expressed his surprise and noted his dual role as citizen and appointed official. Mr. Landman noted that his email newsletter was a free speech right and that his email newsletter was his alone so he divorced the two issues of free speech and role of appointed official. Mr. Landman asserted his right to speak and noted that there was no written policy about comportment and actions as an appointed official. Mr. Landman noted that he would not talk about the TA, but only says what others are saying and that Mr. Landman does so in writing. Mr. Landman questioned why the issue was being raised on the eve of the election. Mr. Sullivan responded that the issue was raised at this late date (Monday evening March 12) so that the issue would not impact the scheduled election the following day (Tuesday March 13). Mr. Steiner noted that Ms. Jenifer Landman (Mr. Landman's spouse) was running for Selectmen and that the Board did not want to potentially sway the outcome of the election by raising the issue many weeks prior to the election. Mr. Sullivan noted that there was no specific RSA's governing the removal of a Commissioner from the RPC. Ms. Landman asked if there were any outstanding grievances or problems with Mr. Landman's performance as a Commissioner? Ms. Landman noted that Mr. Landman attended all of the meetings and that Mr. Landman was revered by all of the people he worked with. Ms. Landman noted that Mr. Landman was highly intelligent and asked if the Board viewed him as having failed in his capacity? Mr. Steiner noted that he objected to Mr. Landman's style, which he characterized as being neither healthy nor constructive, and that others have also found Mr. Landman's style objectionable. Mr. Sullivan suggested that Mr. Landman had a greater responsibility as an appointed official. Mr. Steiner noted that when addressing an issue tack was an important consideration as it often lead to greater effectiveness. Ms. Landman asked if a reprimand was out of the question. Mr. Sullivan explained that previous concerns raised by the Board concerning Mr. Landman had had no effect. Mr. Steiner noted that there was nothing preventing Mr. Landman from continuing, but also felt that a reprimand would not solve the issue. Mr. Steiner asked if Mr. Landman would stay on as an MPO representative and Mr. Landman agreed. The TA noted that he had not been made aware of the Board's action concerning Mr. Landman. The TA also asked that an individual's personality not be any reason for the Board's action. The Board voted unanimously to revoke Mr. Landman's appointment as a Commissioner to the RPC.

A general discussion ensued regarding Planning Board and RPC involvement from a working perspective. Planning Board Chair, Don Gould, noted that he was interested in doing more planning (if re-elected)

¹ Text of statement is attached at the end of the minutes.

² Text of statement is attached at the end of the minutes.

during the year. Particularly he was interested in completing the CIP, and working on growth and water issues. Mr. Gould saw an opportunity to work with the RPC in a very focused way on particular issues.

Mr. Sullivan discussed the potential procurement of two 10-foot granite posts for the Town Office sign. Mr. Steiner mentioned that he was looking at a similar option for less money. Ms. Landman asked if anyone had reviewed the sign design and where it would be located. Mr. Steiner replied that the sign was of the same design as the school sign. The location of the sign was slated for the front of the Police Station.

Administration/Business

- a. Minutes - February 26th, 2001
- a. Payroll
- b. Manifest
- c. Teamsters Contract - signatures
- d. External hyperlink Policy - signatures
- e. Conservation Easements - Hobbs Farm (Evergreen Trust)
- f. Cemetery Deed
- g. Current Use Change Tax
- h. DES - Wetlands Permit (43 Chapel Road)
- i. FD - Status of Firefighter hiring process
- j. HWW - PUC Order (rate increase)
- k. Primex³ - Selectpersons Institute
- l. DES - Engineering RFP for updating Route 1 sewer study.**

The TA asked if the Board still wanted to move forward with drafting an engineering RFP for updating of the 1988 Route 1 sewer study. Mr. Sullivan made the motion to direct the TA to draft and submit an engineering RFP and grant application with the DES. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

m. RPC - Route 1 corridor management plan

The TA asked if the Board was interested in participating in and providing financial support for the Route 1 Corridor study. A letter to the RPC stating the Town's interest was necessary. Mr. Steiner made the motion to participate in and provide financial (\$3,550 over two years) support to the Route 1 Corridor Study. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

n. Rockingham County Nursing Home

Adjournment

There being no further business to come before the Board the public meeting adjourned at approximately 8:06pm. Mr. Steiner made the motion to convene in non-public session under RSA 91-A:3 II (a) to discuss personnel issues. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

Respectfully,

Russell McAllister
Town Administrator

Bob:

I have seen a number of e-mails that you have written recently, which are extremely unthinking and unnecessarily harassing of Russ McAllister, our town administrator. To call him a skunk and a jerk, to threaten his removal, to harass him for failing to drop everything and to respond to your every demand, and to spread your comments around town via e-mail is potentially, if not actually, libelous. Such a breach of protocol is totally inappropriate for a person who, by virtue of membership on the Rockingham Planning Commission, regularly passes himself off as an authoritative representative of the Town.

On the basis of this unbecoming behavior, I really believe you should consider resigning your posts in Town, in advance of the election so as not to influence it one way or the other.

I'm sorry Bob. You strike me as an intelligent and well meaning citizen, but such behavior, on a continuing basis, is simply unacceptable.

Sincerely,
George Lagassa

Several recent events have been happening that have caused Selectman George Lagassa to ask that Bob Landman tender his resignation as a Rockingham Planning Commissioner. I second that request and submit the following information for the record.

Mr. Landman has made numerous e-mail comments about our Town Administrator that I think speak for themselves and were ill conceived, uncalled for and out of place.

Speaking of our Town Administrator, Mr. Landman writes: "He is my employee as well as yours because first and foremost I am a taxpayer in this Town". To the extent that the Board of Selectmen are elected and Mr. Landman, can, through his vote, have an effect on who the Board may or may not be, his point is well taken. However, Mr. Landman is mistaken about for whom Russell McAllister works.

Mr. McAllister is a Town Administrator, hired by the Selectmen. His pay, performance reviews, job title and job description are set and overseen by the elected Board of Selectmen, not Mr. Landman.

The Board of Selectmen, and only the Board of Selectmen, supervises Mr. McAllister's work. If Mr. Landman had, has, or will have a problem, with the Town Administrator's job performance, or the job performance of any Town employee, he is to speak to the Board of Selectmen, and not directly to the employee involved.

Mr. Landman has attempted to characterize his statements as private, harmless and indeed insinuates, if not directly says, that he essentially said what he said to help our Town Administrator be a better person and employee. Whether or not the statements were private is irrelevant. Whether or not harmless is a subjective point of view that I do not share with Mr. Landman. Finally, the utilitarian value of his conduct is, in my opinion, destructive at best and aimed at bullying a town employee over whom he has no control at worst.

At previous Selectmen meetings Mr. Landman was asked by the Selectmen, absent of any input from the Town Boards, to restrain his comments and actions as a Rockingham Planning Commission. As the North

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Hampton appointed representative, Mr. Landman represents the Town and not his personal political agenda.

Consultations with Mr. Glenn Greenwood of the Rockingham Planning Commission and Attorney John Ryan, Town Council, clearly state that appointments to the commission are at the will of the Selectmen

I am in full support of the opinions of Selectman George Lagassa and I formally request that this Board remove Mr. Landman as the North Hampton representative to the Rockingham Planning Commission.

Lloyd D. Sullivan
Selectman